

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.227 OF 2006

IN

SUMMARY SUIT NO.1235 OF 2006

...

M/s.Shadilal & Sons ...Plaintiff

v/s.

M/s.Pluto Toys & Anr. ...Defendants

...

Mr.Vipul Shukla for the Plaintiff.

Mr.P.A.Barot for the Defendants.

...

CORAM: D.K.DESHMUKH, J.

DATED: 12TH SEPTEMBER, 2006

P.C.:

Admittedly the Plaintiff does not have a document to

show that the Defendants have received the goods. The suit is for recovery of the price of the goods which are alleged to have been supplied by the Plaintiff and the Defendants are denying the receipt of the goods. Obviously, therefore, a decree in favour of the Plaintiff cannot be passed in summary jurisdiction. Summons for judgment is, therefore, disposed of. Defendants are granted unconditional leave to defend the suit. Written statement to be filed within eight weeks from today. Suit be transferred to commercial cause list.

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